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Legislative History – Montana Session Law

Chapter: 294 Session L: 2025
Bill Number: HB 458

Checklist of Bill History

History and Final Status Sheet	☒
Introduced Bill	☒
Fiscal Note	☒
Third Reading Bill	☐
Final Version of Bill	☒

House

Committee: Business and Labor

Hearing Date(s): 02/18/2025

Committee Report: Bill passed as amended

Senate

Committee: Judiciary

Hearing Date(s): 03/24/2025

Committee Report: Bill concurred

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: Charlotty Herman

Date: 06/03/2026

Notes: No conference Committee; no Senate exhibits.

4/09 (H) MISSED DEADLINE FOR APPROPRIATION BILL TRANSMITTAL
DIED IN PROCESS

HB 458 INTRODUCED BY ETCHART, JODEE *LC3507 DRAFTER: J. WALKER*

GENERALLY REVISE LAWS RELATED TO PHYSICIAN ASSISTANTS

2/12	(H) INTRODUCED		
2/12	(H) FISCAL NOTE REQUESTED		
2/12	(H) REFERRED TO COMMITTEE		
2/12	(H) FIRST READING		
2/14	(H) HEARING		
2/19	(H) COMMITTEE EXEC ACTION — BILL PASSED AS AMENDED	20	0
2/21	(H) FISCAL NOTE RECEIVED		
2/21	(H) FISCAL NOTE SIGNED		
2/21	(H) COMMITTEE REPORT — BILL PASSED AS AMENDED		
2/22	(H) FISCAL NOTE PRINTED		
2/26	(H) 2ND READING PASS CONSIDERATION		
2/27	(H) SCHEDULED FOR 2ND READING		
2/27	(H) 2ND READING PASSED	96	4
2/28	(H) SCHEDULED FOR 3RD READING		
2/28	(H) 3RD READING PASSED	95	3
	(H) TRANSMITTED TO SENATE		
3/03	(S) REFERRED TO COMMITTEE		
3/24	(S) HEARING		
3/24	(S) COMMITTEE EXEC ACTION — BILL CONCURRED	5	3
3/25	(S) COMMITTEE REPORT — BILL CONCURRED		
4/10	(S) SCHEDULED FOR 2ND READING		
4/10	(S) 2ND READING CONCURRED	45	5
4/11	(S) SCHEDULED FOR 3RD READING		
4/11	(S) 3RD READING CONCURRED	43	5
4/11	(H) SENT TO ENROLLING		
4/16	(H) RETURNED FROM ENROLLING		
4/23	(H) SIGNED BY SPEAKER		
4/24	(S) SIGNED BY PRESIDENT		
4/24	(H) TRANSMITTED TO GOVERNOR		
5/01	(H) SIGNED BY GOVERNOR		
5/05	CHAPTER NUMBER ASSIGNED		
	CHAPTER NUMBER 294		
	EFFECTIVE DATE: 5/01/2025 - ALL SECTIONS		

HB 459 INTRODUCED BY ETCHART, JODEE *LC4033 DRAFTER: M. WEAVER*

INCREASING THE NUMBER OF PHYSICIAN ASSISTANTS ON THE BOARD OF MEDICAL EXAMINERS

2/12 (H) INTRODUCED
2/12 (H) FISCAL NOTE REQUESTED
2/12 (H) REFERRED TO COMMITTEE
2/12 (H) HEARING
2/12 (H) FIRST READING
2/14 (H) BILL WITHDRAWN PER HOUSE RULE H30-50(3)(B)

HB 460 INTRODUCED BY MILLETT, TOM *LC3066 DRAFTER: J. BURKHARDT*

AMENDING THE CONSTITUTION TO PROVIDE FOR ELECTORS OF A COUNTY TO CALL A GRAND JURY

Chapter No.	Bill No.
Ch. 193	HB 135
Ch. 194	HB 127
Ch. 195	HB 88
Ch. 196	HB 58
Ch. 197	HB 48
Ch. 198	SB 495
Ch. 199	SB 488
Ch. 200	SB 426
Ch. 201	SB 368
Ch. 202	SB 366
Ch. 203	SB 365
Ch. 204	SB 357
Ch. 205	SB 341
Ch. 206	SB 328
Ch. 207	SB 315
Ch. 208	SB 310
Ch. 209	SB 309
Ch. 210	SB 306
Ch. 211	SB 305
Ch. 212	SB 288
Ch. 213	SB 275
Ch. 214	SB 242
Ch. 215	SB 241
Ch. 216	SB 228
Ch. 217	SB 184
Ch. 218	SB 115
Ch. 219	SB 83
Ch. 220	SB 80
Ch. 221	SB 79
Ch. 222	SB 78
Ch. 223	SB 58
Ch. 224	SB 23
Ch. 225	SB 11
Ch. 226	HB 267
Ch. 227	HB 337
Ch. 228	HB 102
Ch. 229	HB 114
Ch. 230	HB 122
Ch. 231	HB 123
Ch. 232	HB 126
Ch. 233	HB 130
Ch. 234	HB 141
Ch. 235	HB 166
Ch. 236	HB 180
Ch. 237	HB 184
Ch. 238	HB 193
Ch. 239	HB 201
Ch. 240	HB 208
Ch. 241	HB 217
Ch. 242	HB 226
Ch. 243	HB 251
Ch. 244	HB 266
Ch. 245	HB 269
Ch. 246	HB 270
Ch. 247	HB 276
Ch. 248	HB 285
Ch. 249	HB 291
Ch. 250	HB 292
Ch. 251	HB 293
Ch. 252	HB 296
Ch. 253	HB 307
Ch. 254	HB 311
Ch. 255	HB 312
Ch. 256	HB 318
Ch. 257	HB 324
Ch. 258	HB 325
Ch. 259	HB 328
Ch. 260	HB 330
Ch. 261	HB 333
Ch. 262	HB 336
Ch. 263	HB 342
Ch. 264	HB 344
Ch. 265	HB 352
Ch. 266	HB 367
Ch. 267	HB 380
Ch. 268	HB 387
Ch. 269	HB 388
Ch. 270	HB 391
Ch. 271	HB 393
Ch. 272	HB 394
Ch. 273	HB 397
Ch. 274	HB 398
Ch. 275	HB 400
Ch. 276	HB 401
Ch. 277	HB 403
Ch. 278	HB 413
Ch. 279	HB 414
Ch. 280	HB 415
Ch. 281	HB 423
Ch. 282	HB 428
Ch. 283	HB 430
Ch. 284	HB 435
Ch. 285	HB 438
Ch. 286	HB 442
Ch. 287	HB 443
Ch. 288	HB 447
Ch. 289	HB 448
Ch. 290	HB 449
Ch. 291	HB 450
Ch. 292	HB 454
Ch. 293	HB 455
Ch. 294	HB 458
Ch. 295	HB 463
Ch. 296	HB 464
Ch. 297	HB 466
Ch. 298	HB 467
Ch. 299	HB 468
Ch. 300	HB 471
Ch. 301	HB 473
Ch. 302	HB 474
Ch. 303	HB 475
Ch. 304	HB 476
Ch. 305	HB 486
Ch. 306	HB 487
Ch. 307	HB 491
Ch. 308	HB 493
Ch. 309	HB 496
Ch. 310	HB 502
Ch. 311	HB 503
Ch. 312	HB 504
Ch. 313	HB 509
Ch. 314	HB 520
Ch. 315	HB 521
Ch. 316	HB 523
Ch. 317	HB 530
Ch. 318	HB 531
Ch. 319	HB 544
Ch. 320	HB 591
Ch. 321	HB 595
Ch. 322	HB 600
Ch. 323	HB 603
Ch. 324	HB 612
Ch. 325	HB 614
Ch. 326	HB 616
Ch. 327	HB 625
Ch. 328	HB 629
Ch. 329	HB 631
Ch. 330	HB 632
Ch. 331	HB 638
Ch. 332	HB 642
Ch. 333	HB 648
Ch. 334	HB 650
Ch. 335	HB 651
Ch. 336	HB 655
Ch. 337	HB 656
Ch. 338	HB 664
Ch. 339	HB 671
Ch. 340	HB 694
Ch. 341	HB 710
Ch. 342	SB 105
Ch. 343	SB 111
Ch. 344	SB 161
Ch. 345	SB 163
Ch. 346	SB 166
Ch. 347	SB 178
Ch. 348	SB 221
Ch. 349	SB 487
Ch. 350	SB 27
Ch. 351	SB 30
Ch. 352	SB 38
Ch. 353	SB 41
Ch. 354	SB 65
Ch. 355	SB 67
Ch. 356	SB 70
Ch. 357	SB 97
Ch. 358	SB 107
Ch. 359	SB 148
Ch. 360	SB 149

69th Legislature 2025 Session

HB458-Status-06-03-26

Status Date	Action	Committee	Hearing Date	Yes Votes	No Votes
05/05/2025 10:09 am	Chapter Number Assigned				
05/01/2025 03:14 pm	(H) Signed by Governor				
04/24/2025 03:45 pm	(H) Transmitted to Governor				
04/24/2025 11:45 am	(S) Signed by President				
04/23/2025 04:30 pm	(H) Signed by Speaker				
04/16/2025 05:14 am	(H) Returned from Enrolling				
04/11/2025 03:34 pm	(H) Sent to Enrolling				
04/11/2025 03:34 pm	(S) 3rd Reading Concurred			43	5
04/11/2025 10:00 am	(S) Scheduled for 3rd Reading				
04/10/2025 10:26 am	(S) 2nd Reading Concurred			45	5
04/10/2025 08:30 am	(S) Scheduled for 2nd Reading				
03/25/2025 01:30 pm	(S) Committee Report--Bill Concurred				
03/24/2025 10:31 am	(S) Committee Executive Action--Bill Concurred	(S) Judiciary		5	3
03/24/2025 03:33 am	(S) Hearing	(S) Judiciary	02/18/2025 08:00 am | Room 172		
03/03/2025 05:06 pm	(S) Referred to Committee	(S) Judiciary			
02/28/2025 01:40 pm	(H) Transmitted to Senate				
02/28/2025 01:30 pm	(H) 3rd Reading Passed			95	3
02/28/2025 01:00 pm	(H) Scheduled for 3rd Reading				
02/27/2025 01:33 pm	(H) 2nd Reading Passed			96	4
02/27/2025 01:00 pm	(H) Scheduled for 2nd Reading				
02/26/2025 03:18 pm	(H) 2nd Reading Pass Consideration				
02/22/2025 08:01 am	(H) Fiscal Note Printed				
02/21/2025 03:14 pm	(H) Committee Report--Bill Passed as Amended				

Status Date	Action	Committee	Hearing Date	Yes Votes	No Votes
02/21/2025 01:05 pm	(H) Fiscal Note Signed				
02/21/2025 09:05 am	(H) Fiscal Note Received				
02/19/2025 11:48 am	(H) Committee Executive Action--Bill Passed as Amended	(H) Business and Labor		20	
02/14/2025 04:29 pm	(H) Hearing	(H) Business and Labor	03/24/2025 08:00 am | Room 303		
02/12/2025 12:53 pm	(H) First Reading				
02/12/2025 10:32 am	(H) Referred to Committee	(H) Business and Labor			
02/12/2025 07:45 am	(H) Fiscal Note Requested				
02/12/2025 07:39 am	(H) Introduced				
02/11/2025 02:54 pm	(LC) Draft Delivered to Requester				
02/11/2025 08:35 am	(LC) Draft Ready for Delivery				
02/10/2025 05:14 pm	(LC) Draft in Assembly				
02/10/2025 03:57 pm	(LC) Draft in Final Drafter Review				
02/10/2025 10:42 am	(LC) Draft in Input/Proofing				
02/07/2025 10:29 am	(LC) Draft in Edit				
02/06/2025 11:58 am	(LC) Draft in Legal Review				
01/28/2025 11:48 am	(LC) Draft Taken Off Hold				
12/14/2024 11:03 am	(LC) Draft On Hold				
12/14/2024 11:03 am	(LC) Drafter Assigned				

HOUSE BILL NO. 458

INTRODUCED BY J. ETCHART

A BILL FOR AN ACT ENTITLED: “AN ACT GENERALLY REVISING LAWS RELATED TO PHYSICIAN ASSISTANTS; REVISING THE NONECONOMIC DAMAGE LIMITATION APPLICABLE IN MEDICAL MALPRACTICE CASES; INCLUDING "PHYSICIAN ASSISTANT" IN THE DEFINITION OF "HEALTH CARE PROVIDER"; PROVIDING FOR ANNUAL INCREASES; PROVIDING APPLICABILITY TO FUTURE AND EXISTING MALPRACTICE CLAIMS; AMENDING SECTION 25-9-411, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 25-9-411, MCA, is amended to read:

"**25-9-411. (Temporary) Medical malpractice noneconomic damages limitation.** (1) (a) In a malpractice claim or claims against one or more health care providers based on a single incident of malpractice, an award for past and future damages for noneconomic loss may not exceed ~~$250,000~~ the applicable noneconomic damage limit as provided in subsection (1)(c). All claims for noneconomic loss deriving from injuries to a patient are subject to an award not to exceed ~~$250,000~~ the applicable noneconomic damage limit as provided in subsection (1)(c). This limitation applies whether:

(i) based on the same act or a series of acts that allegedly caused the injury, injuries, death, or deaths on which the action or actions are based; or

(ii) the act or series of acts were by one or more health care providers.

(b) If a single incident of malpractice injures multiple, unrelated patients, the limitation on awards contained in subsection (1)(a) applies to each patient and all claims deriving from injuries to that patient.

(c) The noneconomic damage limit is $300,000. The noneconomic damage limit increases as follows:

(i) $350,000, effective January 1, 2026;

(ii) $400,000, effective January 1, 2027;

(iii) $450,000 effective January 1, 2028;

(iv) $500,000 effective January 1, 2029; and

(v) effective January 1, 2030, and on January 1 of each subsequent year, the limit must be increased by 2% of the prior year's limit. The court administrator's office shall publish the adjusted limit within 14 days of January 1 of each year. Regardless of when the court administrator's office publishes the adjusted limit, the adjusted limit must go into effect on January 1 of each year.

(d) The limit on past and future noneconomic damages in subsection (1)(a) applicable to a claimant's claim is the limit, as adjusted pursuant to subsection (1)(c), that is in effect on the date the claimant first files a claim with the Montana medical legal panel. If the claim is not subject to the Montana Medical Legal Panel Act provided for in Title 27, chapter 6, the limit on past and future noneconomic damages pursuant to subsection (1)(a) that is applicable to a claimant's claim is the limit, as adjusted pursuant to subsection (1)(c), that is in effect on the date the claimant first files suit in Montana district court or any other court with jurisdiction over the case.

(2) (a) For the purposes of the limitation on awards contained in subsection (1), a claimant has the burden of proving separate injuries, each arising from a different act or series of acts. An award or combination of awards in excess of ~~$250,000~~ the limit applicable to the claimant's claim must be reduced to ~~$250,000~~ the limit applicable as provided in subsection (1), after which the court shall make other reductions that are required by law. If a combination of awards for past and future noneconomic loss is reduced in the same action, future noneconomic loss must be reduced first and, if necessary to reach the ~~$250,000 limit~~ applicable limit, past noneconomic loss must then be reduced. If a combination of awards is reduced to ~~$250,000~~ the applicable limit, a claimant's share of the ~~$250,000~~ applicable limit must be the same percentage as the claimant's share of the combined awards before reduction.

(b) For each claimant, further reductions must be made in the following order:

(i) first, reductions under 27-1-702;

(ii) second, reductions under 27-1-703; and

(iii) third, setoffs and credits to which a defendant is entitled.

(3) An award of future damages for noneconomic loss may not be discounted to present value.

(4) The ~~$250,000~~ applicable limit provided for in subsection (1) may not be disclosed to a jury.

(5) As used in this section, the following definitions apply:

(a) "Claimant" includes but is not limited to:

(i) a person suffering bodily injury;

(ii) a person making a claim as a result of bodily injury to or the death of another;

(iii) a person making a claim on behalf of someone who suffered bodily injury or death;

(iv) the representative of the estate of a person who suffered bodily injury or death; or

(v) a person bringing a wrongful death action.

(b) "Health care provider" means a physician, physician assistant, dentist, podiatrist, optometrist, chiropractor, physical therapist, or nurse licensed under Title 37 or a health care facility licensed under Title 50, chapter 5.

(c) "Malpractice claim" means a claim based on a negligent act or omission by a health care provider in the rendering of professional services that is the proximate cause of a personal injury or wrongful death.

(d) "Noneconomic loss" means subjective, nonmonetary loss, including but not limited to:

(i) physical and mental pain or suffering;

(ii) emotional distress;

(iii) inconvenience;

(iv) subjective, nonmonetary loss arising from physical impairment or disfigurement;

(v) loss of society, companionship, and consortium, other than household services;

(vi) injury to reputation; and

(vii) humiliation.

(e) "Patient" means a person who receives services from a health care provider. (Terminates on occurrence of contingency--sec. 11(2), Ch. 429, L. 1997.)

25-9-411. (Effective on occurrence of contingency) Medical malpractice noneconomic damages limitation. (1) (a) In a malpractice claim or claims against one or more health care providers based on a single incident of malpractice, an award for past and future damages for noneconomic loss may not exceed ~~$250,000~~ the applicable noneconomic damage limit as provided in subsection (1)(c). All claims for noneconomic loss deriving from injuries to a patient are subject to an award not to exceed ~~$250,000~~ the

applicable noneconomic damage limit as provided in subsection (1)(c). This limitation applies whether:

(i) based on the same act or a series of acts that allegedly caused the injury, injuries, death, or deaths on which the action or actions are based; or

(ii) the act or series of acts were by one or more health care providers.

(b) If a single incident of malpractice injures multiple, unrelated patients, the limitation on awards contained in subsection (1)(a) applies to each patient and all claims deriving from injuries to that patient.

(c) The noneconomic damage limit is $300,000, effective on [the effective date of this act]. The noneconomic damage limit increases as follows:

(i) $350,000, effective January 1, 2026;

(ii) $400,000, effective January 1, 2027;

(iii) $450,000 effective January 1, 2028;

(iv) $500,000 effective January 1, 2029; and

(v) effective January 1, 2030, and on January 1 of each subsequent year, the limit must be increased by 2% of the prior year's limit. The court administrator's office shall publish the adjusted limit within 14 days of January 1 of each year. Regardless of when the court administrator's office publishes the adjusted limit, the adjusted limit must go into effect on January 1 of each year.

(d) The limit on past and future noneconomic damages in subsection (1)(a) applicable to a claimant's claim is the limit, as adjusted pursuant to subsection (1)(c), that is in effect on the date the claimant first files a claim with the Montana medical legal panel. If the claim is not subject to the Montana Medical Legal Panel Act provided for in Title 27, chapter 6, the limit on past and future noneconomic damages pursuant to subsection (1)(a) that is applicable to a claimant's claim is the limit, as adjusted pursuant to subsection (1)(c), that is in effect on the date the claimant first files suit in Montana district court or any other court with jurisdiction over the case.

(2) (a) For the purposes of the limitation on awards contained in subsection (1), a claimant has the burden of proving separate injuries, each arising from a different act or series of acts. An award or combination of awards in excess of ~~$250,000~~ the limit applicable to the claimant's claim must be reduced to ~~$250,000~~ the limit as provided in subsection (1), after which the court shall make other reductions that are required by law. If a combination of awards for past and future noneconomic loss is reduced in the same action, future

noneconomic loss must be reduced first and, if necessary to reach the ~~$250,000~~ applicable limit, past noneconomic loss must then be reduced. If a combination of awards is reduced to ~~$250,000~~ the applicable limit, a claimant's share of the ~~$250,000~~ applicable limit must be the same percentage as the claimant's share of the combined awards before reduction.

(b) For each claimant, further reductions must be made in the following order:

(i) first, reductions under 27-1-702; and

(ii) second, setoffs and credits to which a defendant is entitled.

(3) An award of future damages for noneconomic loss may not be discounted to present value.

(4) The ~~$250,000~~ applicable limit provided for in subsection (1) may not be disclosed to a jury.

(5) As used in this section, the following definitions apply:

(a) "Claimant" includes but is not limited to:

(i) a person suffering bodily injury;

(ii) a person making a claim as a result of bodily injury to or the death of another;

(iii) a person making a claim on behalf of someone who suffered bodily injury or death;

(iv) the representative of the estate of a person who suffered bodily injury or death; or

(v) a person bringing a wrongful death action.

(b) "Health care provider" means a physician, physician assistant, dentist, podiatrist, optometrist, chiropractor, physical therapist, or nurse licensed under Title 37 or a health care facility licensed under Title 50, chapter 5.

(c) "Malpractice claim" means a claim based on a negligent act or omission by a health care provider in the rendering of professional services that is the proximate cause of a personal injury or wrongful death.

(d) "Noneconomic loss" means subjective, nonmonetary loss, including but not limited to:

(i) physical and mental pain or suffering;

(ii) emotional distress;

(iii) inconvenience;

(iv) subjective, nonmonetary loss arising from physical impairment or disfigurement;

(v) loss of society, companionship, and consortium, other than household services;

(vi) injury to reputation; and

(vii) humiliation.

(e) "Patient" means a person who receives services from a health care provider."

NEW SECTION. **Section 2. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

- END -

HOUSE BILL NO. 458

INTRODUCED BY J. ETCHART

A BILL FOR AN ACT ENTITLED: “AN ACT GENERALLY REVISING LAWS RELATED TO PHYSICIAN ASSISTANTS; ~~REVISING THE NONECONOMIC DAMAGE LIMITATION APPLICABLE IN MEDICAL MALPRACTICE CASES;~~INCLUDING "PHYSICIAN ASSISTANT" IN THE DEFINITION OF "HEALTH CARE PROVIDER"; ~~PROVIDING FOR ANNUAL INCREASES; PROVIDING APPLICABILITY TO FUTURE AND EXISTING MALPRACTICE CLAIMS;~~AMENDING SECTION 25-9-411, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

SECTION 1. Section 25-9-411, MCA, is amended to read:

"**25-9-411. (Temporary) Medical malpractice noneconomic damages limitation.** (1) (a) In a malpractice claim or claims against one or more health care providers based on a single incident of malpractice, an award for past and future damages for noneconomic loss may not exceed $250,000. All claims for noneconomic loss deriving from injuries to a patient are subject to an award not to exceed $250,000. This limitation applies whether:

(i) based on the same act or a series of acts that allegedly caused the injury, injuries, death, or deaths on which the action or actions are based; or

(ii) the act or series of acts were by one or more health care providers.

(b) If a single incident of malpractice injures multiple, unrelated patients, the limitation on awards contained in subsection (1)(a) applies to each patient and all claims deriving from injuries to that patient.

(2) (a) For purposes of the limitation on awards contained in subsection (1), a claimant has the burden of proving separate injuries, each arising from a different act or series of acts. An award or combination

of awards in excess of $250,000 must be reduced to $250,000, after which the court shall make other reductions that are required by law. If a combination of awards for past and future noneconomic loss is reduced in the same action, future noneconomic loss must be reduced first and, if necessary to reach the $250,000 limit, past noneconomic loss must then be reduced. If a combination of awards is reduced to $250,000, a claimant's share of the $250,000 must be the same percentage as the claimant's share of the combined awards before reduction.

(b) For each claimant, further reductions must be made in the following order:

(i) first, reductions under 27-1-702;

(ii) second, reductions under 27-1-703; and

(iii) third, setoffs and credits to which a defendant is entitled.

(3) An award of future damages for noneconomic loss may not be discounted to present value.

(4) The $250,000 limit provided for in subsection (1) may not be disclosed to a jury.

(5) As used in this section, the following definitions apply:

(a) "Claimant" includes but is not limited to:

(i) a person suffering bodily injury;

(ii) a person making a claim as a result of bodily injury to or the death of another;

(iii) a person making a claim on behalf of someone who suffered bodily injury or death;

(iv) the representative of the estate of a person who suffered bodily injury or death; or

(v) a person bringing a wrongful death action.

(b) "Health care provider" means a physician, <u>physician assistant,</u> dentist, podiatrist, optometrist, chiropractor, physical therapist, or nurse licensed under Title 37 or a health care facility licensed under Title 50, chapter 5.

(c) "Malpractice claim" means a claim based on a negligent act or omission by a health care provider in the rendering of professional services that is the proximate cause of a personal injury or wrongful death.

(d) "Noneconomic loss" means subjective, nonmonetary loss, including but not limited to:

(i) physical and mental pain or suffering;

(ii) emotional distress;

(iii) inconvenience;

(iv) subjective, nonmonetary loss arising from physical impairment or disfigurement;

(v) loss of society, companionship, and consortium, other than household services;

(vi) injury to reputation; and

(vii) humiliation.

(e) "Patient" means a person who receives services from a health care provider. (Terminates on occurrence of contingency--sec. 11(2), Ch. 429, L. 1997.)

25-9-411. (Effective on occurrence of contingency) Medical malpractice noneconomic damages limitation. (1) (a) In a malpractice claim or claims against one or more health care providers based on a single incident of malpractice, an award for past and future damages for noneconomic loss may not exceed $250,000. All claims for noneconomic loss deriving from injuries to a patient are subject to an award not to exceed $250,000. This limitation applies whether:

(i) based on the same act or a series of acts that allegedly caused the injury, injuries, death, or deaths on which the action or actions are based; or

(ii) the act or series of acts were by one or more health care providers.

(b) If a single incident of malpractice injures multiple, unrelated patients, the limitation on awards contained in subsection (1)(a) applies to each patient and all claims deriving from injuries to that patient.

(2) (a) For purposes of the limitation on awards contained in subsection (1), a claimant has the burden of proving separate injuries, each arising from a different act or series of acts. An award or combination of awards in excess of $250,000 must be reduced to $250,000, after which the court shall make other reductions that are required by law. If a combination of awards for past and future noneconomic loss is reduced in the same action, future noneconomic loss must be reduced first and, if necessary to reach the $250,000 limit, past noneconomic loss must then be reduced. If a combination of awards is reduced to $250,000, a claimant's share of the $250,000 must be the same percentage as the claimant's share of the combined awards before reduction.

(b) For each claimant, further reductions must be made in the following order:

(i) first, reductions under 27-1-702; and

(ii) second, setoffs and credits to which a defendant is entitled.

(3) An award of future damages for noneconomic loss may not be discounted to present value.

(4) The $250,000 limit provided for in subsection (1) may not be disclosed to a jury.

(5) As used in this section, the following definitions apply:

(a) "Claimant" includes but is not limited to:

(i) a person suffering bodily injury;

(ii) a person making a claim as a result of bodily injury to or the death of another;

(iii) a person making a claim on behalf of someone who suffered bodily injury or death;

(iv) the representative of the estate of a person who suffered bodily injury or death; or

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(b) "Health care provider" means a physician, physician assistant, dentist, podiatrist, optometrist, chiropractor, physical therapist, or nurse licensed under Title 37 or a health care facility licensed under Title 50, chapter 5.

(c) "Malpractice claim" means a claim based on a negligent act or omission by a health care provider in the rendering of professional services that is the proximate cause of a personal injury or wrongful death.

(d) "Noneconomic loss" means subjective, nonmonetary loss, including but not limited to:

(i) physical and mental pain or suffering;

(ii) emotional distress;

(iii) inconvenience;

(iv) subjective, nonmonetary loss arising from physical impairment or disfigurement;

(v) loss of society, companionship, and consortium, other than household services;

(vi) injury to reputation; and

(vii) humiliation.

(e) "Patient" means a person who receives services from a health care provider."

NEW SECTION. **SECTION 2. EFFECTIVE DATE.** [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

- END -

HOUSE BILL NO. 458

INTRODUCED BY J. ETCHART

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO PHYSICIAN ASSISTANTS; ~~REVISING THE NONECONOMIC DAMAGE LIMITATION APPLICABLE IN MEDICAL MALPRACTICE CASES;~~ INCLUDING "PHYSICIAN ASSISTANT" IN THE DEFINITION OF "HEALTH CARE PROVIDER"; ~~PROVIDING FOR ANNUAL INCREASES; PROVIDING APPLICABILITY TO FUTURE AND EXISTING MALPRACTICE CLAIMS;~~ AMENDING SECTION 25-9-411, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

Section 1. Section 25-9-411, MCA, is amended to read:

"**25-9-411. (Temporary) Medical malpractice noneconomic damages limitation.** (1) (a) In a malpractice claim or claims against one or more health care providers based on a single incident of malpractice, an award for past and future damages for noneconomic loss may not exceed $250,000. All claims for noneconomic loss deriving from injuries to a patient are subject to an award not to exceed $250,000. This limitation applies whether:

(i) based on the same act or a series of acts that allegedly caused the injury, injuries, death, or deaths on which the action or actions are based; or

(ii) the act or series of acts were by one or more health care providers.

(b) If a single incident of malpractice injures multiple, unrelated patients, the limitation on awards contained in subsection (1)(a) applies to each patient and all claims deriving from injuries to that patient.

(2) (a) For purposes of the limitation on awards contained in subsection (1), a claimant has the burden of proving separate injuries, each arising from a different act or series of acts. An award or combination

of awards in excess of $250,000 must be reduced to $250,000, after which the court shall make other reductions that are required by law. If a combination of awards for past and future noneconomic loss is reduced in the same action, future noneconomic loss must be reduced first and, if necessary to reach the $250,000 limit, past noneconomic loss must then be reduced. If a combination of awards is reduced to $250,000, a claimant's share of the $250,000 must be the same percentage as the claimant's share of the combined awards before reduction.

(b) For each claimant, further reductions must be made in the following order:

(i) first, reductions under 27-1-702;

(ii) second, reductions under 27-1-703; and

(iii) third, setoffs and credits to which a defendant is entitled.

(3) An award of future damages for noneconomic loss may not be discounted to present value.

(4) The $250,000 limit provided for in subsection (1) may not be disclosed to a jury.

(5) As used in this section, the following definitions apply:

(a) "Claimant" includes but is not limited to:

(i) a person suffering bodily injury;

(ii) a person making a claim as a result of bodily injury to or the death of another;

(iii) a person making a claim on behalf of someone who suffered bodily injury or death;

(iv) the representative of the estate of a person who suffered bodily injury or death; or

(v) a person bringing a wrongful death action.

(b) "Health care provider" means a physician, physician assistant, dentist, podiatrist, optometrist, chiropractor, physical therapist, or nurse licensed under Title 37 or a health care facility licensed under Title 50, chapter 5.

(c) "Malpractice claim" means a claim based on a negligent act or omission by a health care provider in the rendering of professional services that is the proximate cause of a personal injury or wrongful death.

(d) "Noneconomic loss" means subjective, nonmonetary loss, including but not limited to:

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(v) loss of society, companionship, and consortium, other than household services;

(vi) injury to reputation; and

(vii) humiliation.

(e) "Patient" means a person who receives services from a health care provider. (Terminates on occurrence of contingency--sec. 11(2), Ch. 429, L. 1997.)

25-9-411. (Effective on occurrence of contingency) Medical malpractice noneconomic damages limitation. (1) (a) In a malpractice claim or claims against one or more health care providers based on a single incident of malpractice, an award for past and future damages for noneconomic loss may not exceed $250,000. All claims for noneconomic loss deriving from injuries to a patient are subject to an award not to exceed $250,000. This limitation applies whether:

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(e) "Patient" means a person who receives services from a health care provider."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

- END -

AN ACT GENERALLY REVISING LAWS RELATED TO PHYSICIAN ASSISTANTS; ~~REVISING THE NONECONOMIC DAMAGE LIMITATION APPLICABLE IN MEDICAL MALPRACTICE CASES;~~INCLUDING "PHYSICIAN ASSISTANT" IN THE DEFINITION OF "HEALTH CARE PROVIDER"; ~~PROVIDING FOR ANNUAL INCREASES; PROVIDING APPLICABILITY TO FUTURE AND EXISTING MALPRACTICE CLAIMS;~~AMENDING SECTION 25-9-411, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

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(vi) injury to reputation; and

(vii) humiliation.

(e) "Patient" means a person who receives services from a health care provider."

Section 2. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,

HB 458, originated in the House.

_____

Chief Clerk of the House

_____

Speaker of the House

Signed this _____day

of_____, 2025.

_____

President of the Senate

Signed this _____day
of_____, 2025.

HOUSE BILL NO. 458

INTRODUCED BY J. ETCHART

AN ACT GENERALLY REVISING LAWS RELATED TO PHYSICIAN ASSISTANTS; REVISING THE NONECONOMIC DAMAGE LIMITATION APPLICABLE IN MEDICAL MALPRACTICE CASES;INCLUDING "PHYSICIAN ASSISTANT" IN THE DEFINITION OF "HEALTH CARE PROVIDER"; PROVIDING FOR ANNUAL INCREASES; PROVIDING APPLICABILITY TO FUTURE AND EXISTING MALPRACTICE CLAIMS;AMENDING SECTION 25-9-411, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

MINUTES

MONTANA HOUSE OF REPRESENTATIVES

69th LEGISLATURE - REGULAR SESSION

COMMITTEE ON (H) BUSINESS AND LABOR

Call to Order: Chair Ed Buttrey-R, on February 18, 2025 at 8:01 AM, in Room 172

ROLL CALL

Members Present:	Rep. Ed Buttrey, Chair (R) Rep. Jennifer Lynch, Vice Chair (D) Rep. Kerri Seekins-Crowe, Vice Chair (R) Rep. Bob Carter (D) Rep. Scott DeMarois (D) Rep. Steve Gist (R) Rep. Jamie Isaly (D) Rep. Jonathan Karlen (D) Rep. Shannon Maness (R) Rep. Ron Marshall (R) Rep. Nelly Nicol (R) Rep. Greg Oblander (R) Rep. Curtis Schomer (R) Rep. Joshua Seckinger (D) Rep. Courtenay Sprunger (R) Rep. Morgan Thiel (R)
Members Excused:	Rep. Chip Fitzpatrick (D) Rep. Steve Fitzpatrick (R) Rep. Brandon Ler (R) Rep. Katie Sullivan (D)
Staff Present:	Anita Maddux, Clerk Jameson Walker, Attorney

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:

HB 428 02/10/2025
HB 437 02/10/2025
HB 458 02/12/2025

Executive Action:

HB 374 TO TABLE
HB 390 TO TABLE
HB 435 DO PASS AS AMENDED
SJ 5 TO TABLE

HEARING ON HB 458 - Generally revise laws related to physician assistants

Opening Statement:

08:02:49 Rep. Jodee Etchart (R), HD 51, opening statement on HB 458, Generally revise laws related to physician assistants.

08:04:41 Jameson Walker

08:05:38 Chair Ed Buttrey

08:05:41 Jameson Walker

Proponent Testimony:

08:06:06 Jean Branscum, CEO, Montana Medical Association (MMA)

08:07:12 Jennifer Hensley, Montana Academy of Physician Assistants (MAPA)

Opponent Testimony:

08:08:21 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

08:09:57 Rep. Jodee Etchart (R), HD 51, closing statement on HB 458.

08:11:16 **Recessed**

08:13:32 **Reconvened**

HEARING ON HB 437 - Provide for dismissal of certain criminal charges against health care provider

Opening Statement:

08:13:26 Rep. Ed Stafman (D), HD 59, opening statement on HB 437, Provide for dismissal of certain criminal charges against health care provider.

08:16:02 Rep. Ed Stafman-D: EXHIBIT - https://docs.legmt.gov/download-ticket?ticketId=4c009976-be01-41a0-b9c3-81440ae2c9c0

Proponent Testimony:

08:18:52 Jean Branscum, CEO, Montana Medical Association (MMA)

08:22:05 Eric Anderson, Montana Nurses Association (MNA)

Opponent Testimony:

08:23:35 Anna Shchmelinin, Self, Bozeman, Mt.

Informational Witness Testimony:

None

Questions from Committee:

08:27:20 Rep. Steve Gist

08:28:01 Rep. Ed Stafman

08:28:56 Rep. Curtis Schomer

08:29:23 Rep. Ed Stafman

08:31:03 Chair Ed Buttrey

08:31:39 Jean Branscum, MMA

Closing Statement:

08:32:13 Rep. Ed Stafman (D), HD 59, closing statement on HB 437.

HEARING ON HB 428 - Revising provisions related to workers compensation

Opening Statement:

08:34:52 Rep. Morgan Thiel (R), HD 30, opening statement on HB 428, Revising provisions related to workers compensation.

Proponent Testimony:

08:36:50 Quinlan O'Connor, Chief Legal Counsel, Department of labor & Industry (DLI)

08:39:25 Kevin Bartsch, Montana School Group Interlocal Authority (MSGIA)

Opponent Testimony:

08:40:45 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Witness Testimony:

None

Questions from Committee:

08:43:06 Chair Ed Buttrey

08:44:30 Rep. Nelly Nicol

08:45:14 Chair Ed Buttrey

08:45:47 Rep. Ron Marshall

08:46:25 Chair Ed Buttrey

08:46:36 Commissioner Sarah Swanson, DLI

08:47:49 Rep. Nelly Nicol

08:48:21 Rep. Bob Carter

08:48:45 Quinlan O'Connor, DLI

08:50:05 Rep. Steve Gist

08:50:20 Quinlan O'Connor, DLI

Closing Statement:

08:50:48 Rep. Morgan Thiel (R), HD 30, closing statement on HB 428.

08:51:50 **Recessed**

09:21:27 **Reconvened**

EXECUTIVE ACTION ON HB 374 - Revise gambling laws

Motion:

09:21:50 Vice Chair Kerri Seekins-Crowe moved that **HB 374 DO PASS.**

09:22:12 Rep. Ron Marshall

09:22:39 Chair Ed Buttrey

09:23:38 Rep. Steve Gist

09:23:55 **Vote:** Motion failed 13 - 7 in the House with Rep. DeMarois, Rep. Fitzpatrick, Rep. Isaly, Rep. Karlen, Rep. Lynch, Rep. Seckinger, Rep. Sullivan, voting yes.
Rep. Fitzpatrick, Rep. Sullivan, By Proxy

Motion:

09:22:30 Vice Chair Kerri Seekins-Crowe moved that **HB 374 TO TABLE.**

09:44:29 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 390 - Provide for Montana right to repair agricultural equipment act

Motion:

09:25:11 Vice Chair Kerri Seekins-Crowe moved that **HB 390 DO PASS.**

09:25:34 Rep. Curtis Schomer

09:25:56 Rep. Joshua Seckinger

09:27:20 Rep. Jamie Isaly

09:27:56 Rep. Steve Gist

09:29:01 Rep. Greg Oblander

09:29:30 Rep. Ron Marshall

09:31:49 **Vote:** There was no vote taken on this motion.

Motion:

09:30:12 Rep. Ron Marshall moved that **HB 390 TO TABLE.**

09:30:23 **Vote:** Motion carried 12 - 8 in the House with Rep. Carter, Rep. DeMarois, Rep. Fitzpatrick, Rep. Isaly, Rep. Karlen, Rep. Lynch, Rep. Seckinger, Rep. Sullivan, voting no.
Rep. Fitzpatrick, Rep. Sullivan, By Proxy

EXECUTIVE ACTION ON HB 435 - Clarifying laws related to professional license discipline

Motion:

09:31:31 Vice Chair Kerri Seekins-Crowe moved that **HB 435 DO PASS.**

09:31:38 **Vote:** There was no vote taken on this motion.

Motion:

09:31:56 Vice Chair Kerri Seekins-Crowe moved that **HB 435 BE AMENDED HB0435.001.001.**

09:32:05 Jameson Walker

09:33:42 Rep. Bob Carter

09:34:24 **Vote:** Motion carried unanimously by voice vote.

Motion:

09:34:36 Vice Chair Kerri Seekins-Crowe moved that **HB 435 DO PASS AS AMENDED.**

09:34:46 Chair Ed Buttrey

09:35:14 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SJ 5 - Resolution for support of federal SAFER banking act

Motion:

09:35:39 Vice Chair Kerri Seekins-Crowe moved that **SJ 5 BE CONCURRED IN.**

09:36:08 Rep. Courtenay Sprunger

09:36:35 Rep. Ron Marshall

09:37:47 **Vote:** Motion tied 10 - 10 roll call vote

Motion:

09:39:04 Vice Chair Kerri Seekins-Crowe moved that **SJ 5 TO TABLE.**

09:39:11 **Vote:** Motion carried unanimously by voice vote.

Discussion

09:39:37 Committee Details

ADJOURNMENT

Adjournment: 09:40:27

Clerk: Caitlyn Sena

Additional Documents:

2/18/2025 - https://docs.legmt.gov/download-ticket?ticketId=6be96f41-c1d7-4fd9-a612-bcadec990518

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY 69TH LEGISLATIVE SESSION

ADDITIONAL DOCUMENTS

I request to be excused from the B&L Committee.

I desire to leave my proxy vote with Rep. Seekins-Crowe.

PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
HB374			✓
	Table	✓	
HB390	Table	✓	✓
HB435	435.001.001	✓	
		✓	
SJ 5			✓
	Table	✓	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. Seekins-Crowe for any Amendments or any Tabled Votes allowing proxy votes proposed on this date.

Rep. [signature] Steve Fitzpatrick 2.18.2025

(Signature) (Print Name) (Meeting Date)

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY 69TH LEGISLATIVE SESSION

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PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
HB374			✓
	Table	✓	
HB390	Table	✓	✓
HB435	435.001.001	✓	
		✓	
SJ 5		✓	
	Table	✓	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. Seekins-Crowe for any Amendments or any Tabled Votes allowing proxy votes proposed on this date.

Rep. Brandon Ler 2.18.2025

(Signature) (Print Name) (Meeting Date)

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY 69TH LEGISLATIVE SESSION

I request to be excused from the Labor & Bus. Committee.

I desire to leave my proxy vote with Rep. Lynch.

PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
HB 374	Do Pass	✓	
~~HB 390~~	~~Do Pass~~	✓	
HB 435	Do Pass		
HB 390	To Table		✓
HB 435	Amend. 435.001.001	✓	
SJ 5	Do Concur	✓	
SJ 5	To Table	✓	
HB 374	To Table	✓	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. Lynch for any Amendments or any Tabled Votes allowing proxy votes proposed on this date.

Rep. Kat P (Signature) Katie Sullivan (Print Name) 2/18/24 (Meeting Date)

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY 69TH LEGISLATIVE SESSION

I request to be excused from the B & I Committee.

I desire to leave my proxy vote with Rep. Lynch.

PLEASE USE PEN

BILL	MOTION (Include AMENDMENT #)	AYE	NO
HB 374	Do Pass	✓	
~~HB 390~~	~~Do Pass~~	✓	
HB 435	Do Pass		
HB 390	To Table		✓
HB 435	Amend. 435.001.001	✓	
SJ 5	Do Concur	✓	
SJ 5	To Table	✓	
HB 374	To Table	✓	

BILL	MOTION (Include AMENDMENT #)	AYE	NO

I authorize my vote to be matched with that of Rep. Lynch for any Amendments or any Tabled Votes allowing proxy votes proposed on this date.

Rep. _____ Sicky Chip Fitzgerald 2/18/25

(Signature) (Print Name) (Meeting Date)

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

VISITOR REGISTER

BUSINESS & LABOR COMMITTEE

DATE 2/18/2025 BILL NO: HB 437

SPONSOR(S): Rep. Ed Stafman

SHORT TITLE: Provide for dismissal of certain criminal charges against health care provider

Please leave prepared testimony with the clerk.
Witness Statement forms are available if you care to submit written testimony.

PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name	Representing	Support	Oppose	Informt'l
Eric Anderson	MNA	X		
Jean Branscum	MMA	X		
Ruth Rater	Self		X	

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

VISITOR REGISTER

BUSINESS & LABOR COMMITTEE

DATE 2/18/2025 BILL NO: HB 428

SPONSOR(S): Rep. Morgan Thiel

SHORT TITLE: Revising provisions related to workers compensation

Please leave prepared testimony with the clerk.
Witness Statement forms are available if you care to submit written testimony.

PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name	Representing	Support	Oppose	Informt'l
KEVIN BARTSCH	MSGIA	✓		

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

VISITOR REGISTER

BUSINESS & LABOR COMMITTEE

DATE 2/18/2025 BILL NO: HB 458

SPONSOR(S): Rep. Jodee Etchart

SHORT TITLE: Generally revise laws related to physician assistants

Please leave prepared testimony with the clerk.
Witness Statement forms are available if you care to submit written testimony.

PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name	Representing	Support	Oppose	Informt'l
Joan Branscum	MT Medical Assn	✓		
Ruth Rafer	Self	✓		

MINUTES

MONTANA SENATE

69th LEGISLATURE - REGULAR SESSION

COMMITTEE ON (S) JUDICIARY

Call to Order: Chair Barry Usher-R, on March 24, 2025 at 8:00 AM, in Room 303

ROLL CALL

Members Present:	Sen. Barry Usher, Chair (R) Sen. Andrea Olsen, Vice Chair (D) Sen. Vince Ricci, Vice Chair (R) Sen. Daniel Emrich (R) Sen. Theresa Manzella (R) Sen. Sue Vinton (R)
Members Excused:	Sen. Cora Neumann (D) Sen. Laura Smith (D)
Members Absent:	Sen. Gayle Lammers (R)
Staff Present:	Julianne Burkhardt, Attorney Grace Gibney, Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:

HB 458 03/18/2025
HB 465 03/18/2025
HB 467 03/18/2025
HB 531 03/18/2025

Executive Action:

HB 458
HB 465 TO TABLE
HB 531
HB 467
HB 301 TO TABLE
HB 444
HB 174

HEARING ON HB 458 - Generally revise laws related to physician assistants

Opening Statement:

08:03:28 Rep. Jodee Etchart (R), HD 51, opening statement on HB 458, Generally revise laws related to physician assistants.

Proponent Testimony:

None

Opponent Testimony:

08:06:26 Al Smith, Montana Trial Lawyers Association

Informational Witness Testimony:

08:08:41 Jean Branscum, CEO, Montana Medical Association

Questions from Committee:

08:09:17 Sen. Sue Vinton

08:09:36 Rep. Jodee Etchart

08:10:08 Vice Chair Andrea Olsen

08:10:59 Al Smith, Montana Trial Lawyers Association

Closing Statement:

08:12:11 Rep. Jodee Etchart (R), HD 51, closing statement on HB 458.

HEARING ON HB 467 - Revise DUI testing to include oral fluids

Opening Statement:

08:12:54 Rep. Steven Kelly (R), HD 9, opening statement on HB 467, Revise DUI testing to include oral fluids.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

08:14:54 Captain Douglas Samuelson, Montana Highway Patrol, (MHP)

Questions from Committee:

08:15:45 Sen. Sue Vinton

08:15:47 Captain Douglas Samuelson, (MHP)

08:17:36 Vice Chair Andrea Olsen

08:17:45 Captain Douglas Samuelson, (MHP)

08:20:30 Sen. Daniel Emrich

08:20:51 Captain Douglas Samuelson, (MHP)

08:25:49 Vice Chair Vince Ricci

08:26:04 Rep. Steven Kelly

Closing Statement:

08:26:33 Rep. Steven Kelly (R), HD 9, closing statement on HB 467.

HEARING ON HB 531 - Revise laws related to legislative rules

Opening Statement:

08:29:38 Rep. Steve Fitzpatrick (R), HD 24, opening statement on HB 531, Revise laws related to legislative rules.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

08:31:52 Vice Chair Andrea Olsen

08:35:21 Rep. Steve Fitzpatrick

Closing Statement:

08:35:31 Rep. Steve Fitzpatrick (R), HD 24, closing statement on HB 531.

HEARING ON HB 465 - Generally revise lien laws and foreclosure

Opening Statement:

08:35:44 Rep. Steve Fitzpatrick (R), HD 24, opening statement on HB 465, Generally revise lien laws and foreclosure.

Proponent Testimony:

08:37:37 Sam Sill, Montana Bankers Association

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

08:38:10 Sen. Sue Vinton

08:38:38 Rep. Steve Fitzpatrick

08:39:59 Vice Chair Andrea Olsen

08:40:06 Rep. Steve Fitzpatrick

Closing Statement:

08:42:21 Rep. Steve Fitzpatrick (R), HD 24, closing statement on HB 465.

08:43:15 **Recessed**

09:58:32 **Reconvened**

EXECUTIVE ACTION ON HB 458 - Generally revise laws related to physician assistants

Motion:

10:31:23 Vice Chair Vince Ricci moved that **HB 458 BE CONCURRED IN.**

10:32:04 Vice Chair Andrea Olsen

10:33:55 Sen. Daniel Emrich

10:35:23 **Vote:** Motion carried 5 - 3 in the Senate with Sen. Neumann, Sen. Olsen, Sen. Smith, voting no.
Sen. Neumann, Sen. Smith, By Proxy

10:31:23 **Carrier Assigned:** Sen. Daniel Emrich

EXECUTIVE ACTION ON HB 465 - Generally revise lien laws and foreclosure

Motion:

10:44:25 Sen. Sue Vinton moved that **HB 465 TO TABLE.**

10:44:30 **Vote:** Motion carried 6 - 2 in the Senate with Sen. Ricci, Sen. Usher, voting no.

EXECUTIVE ACTION ON HB 531 - Revise laws related to legislative rules

Motion:

10:45:51 Vice Chair Vince Ricci moved that **HB 531 BE CONCURRED IN.**

10:47:14 Vice Chair Andrea Olsen

10:47:18 Chair Barry Usher

10:47:33 **Vote:** Motion carried 5 - 3 in the Senate with Sen. Neumann, Sen. Olsen, Sen. Smith, voting no.
Sen. Neumann, Sen. Smith, By Proxy

10:45:51 **Carrier Assigned:** Sen. Barry Usher

EXECUTIVE ACTION ON HB 467 - Revise DUI testing to include oral fluids

Motion:

10:48:59 Vice Chair Vince Ricci moved that **HB 467 BE CONCURRED IN.**

10:49:10	Vice Chair Andrea Olsen
10:50:23	Sen. Daniel Emrich
10:51:40	**Vote:** Motion carried 5 - 3 in the Senate with Sen. Neumann, Sen. Olsen, Sen. Smith, voting no. Sen. Neumann, Sen. Smith, By Proxy
10:48:59	**Carrier Assigned:** Sen. Barry Usher

EXECUTIVE ACTION ON HB 301 - Generally revise statutes of limitations laws relating to real property

Motion:

10:52:39	Vice Chair Vince Ricci moved that **HB 301 TO TABLE.**
10:52:45	**Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 444 - Generally revise tenant landlord laws

Motion:

10:53:21	Vice Chair Vince Ricci moved that **HB 444 BE CONCURRED IN.**
10:53:25	Julianne Burkhardt
10:53:45	Vice Chair Andrea Olsen
10:54:13	Sen. Daniel Emrich
10:55:30	Chair Barry Usher
10:55:36	**Vote:** Motion carried unanimously by voice vote.
10:53:21	**Carrier Assigned:** Sen. Mike Cuffe

EXECUTIVE ACTION ON HB 174 - Revise laws related to drug assault crimes

Motion:

10:58:25	Sen. Daniel Emrich moved that **HB 174 TO TAKE FROM THE TABLE.**
10:58:38	Sen. Daniel Emrich
10:59:46	Vice Chair Andrea Olsen
10:59:55	**Vote:** Motion carried 5 - 3 in the Senate with Sen. Neumann, Sen. Olsen, Sen. Smith, voting no. Sen. Neumann, Sen. Smith, By Proxy

Motion:

11:00:29 Vice Chair Vince Ricci moved that **HB 174 BE CONCURRED IN.**

Motion:

11:01:42 Sen. Theresa Manzella moved that **HB 174 REMOVE AMENDMENT HB174.002.002.**

11:02:13 **Vote:** Motion carried unanimously by voice vote.

Motion:

11:02:28 Vice Chair Vince Ricci moved that **HB 174 BE AMENDED HB0174.002.001.**

11:02:56 Sen. Daniel Emrich

11:05:22 Vice Chair Vince Ricci

11:05:27 Sen. Daniel Emrich

11:06:12 **Vote:** Motion carried 5 - 3 in the Senate with Sen. Neumann, Sen. Olsen, Sen. Smith, voting no.
Sen. Neumann, Sen. Smith, By Proxy

Motion:

11:06:37 Vice Chair Vince Ricci moved that **HB 174 BE CONCURRED IN AS AMENDED.**

11:09:12 **Vote:** Motion carried 5 - 3 in the Senate with Sen. Neumann, Sen. Olsen, Sen. Smith, voting no.
Sen. Neumann, Sen. Smith, By Proxy

11:06:37 **Carrier Assigned:** Sen. Daniel Emrich

ADJOURNMENT

Adjournment: 11:11:08

Secretary: Grace Gibney

Additional Documents: